

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

JOHN A. MOFFETT,
Plaintiff,

vs.

SMF SYSTEMS CORPORATION, a
Maryland corporation; et al.,
Defendants.

CIVIL NO. 03-00130 MLR/BMK

DECLARATION OF BARBARA A.
PETRUS

DECLARATION OF BARBARA A. PETRUS

BARBARA A. PETRUS, declares the following:

1. I am a partner with the law firm of Goodsill Anderson Quinn & Stifel, am licensed to practice law in the State of Hawaii, and am admitted to practice law before this Court. I am one of the attorneys representing Plaintiff JOHN A. MOFFETT (hereinafter "Plaintiff") in this action.
2. Attached hereto as Exhibit 1 is a true and correct copy of the Order dated October 14, 2004.
3. Attached hereto as Exhibit 2 is a true and correct copy of the Amended Rule 16 Scheduling Order filed on September 27, 2004.
4. Attached hereto as Exhibit 3 is a true and correct copy of the Minutes dated March 15, 2005.

5. Plaintiff John A. Moffett was first deposed on September 27, 2004. Defendants sought a second day to depose Plaintiff, which he opposed. The parties submitted this dispute to the Court, and after briefing by the parties, Magistrate Judge Barry Kurren allowed the Defendants some additional time to depose Plaintiff. The continuation of Plaintiff's deposition took place on April 15, 2005.

I declare under penalty of law that the foregoing is true and correct.

DATED: Honolulu, Hawaii, January 12, 2006.



BARBARA A. PETRUS